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State of California—Health and Human Services Agency  
**California Department of Public Health**



ARNOLD SCHWARZENEGGER  
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## AFL REVISION NOTICE

Subject: Sleep Study Lab Staffing in General Acute Care Hospitals  
Revision To: AFL 10-04  
Revision Date: October 18, 2010  
Attachment: AFL 10-22

This notice is to inform you that the California Department of Public Health has revised All Facilities Letter (AFL) 10-04 with the attached AFL 10-22 which supersedes AFL 10-04.

The revised AFL has been updated to clarify the scope of the AFL applies to polysomnography patient care standards in General Acute Care Hospital (GACH) outpatient settings.

Please review the AFL and contact your local District Office if you have further questions.

October 18, 2010

AFL 10-22

**TO:** General Acute Care Hospitals

**SUBJECT:** Sleep Study Lab Staffing

**AUTHORITY:** Title 42 Code of Federal Regulations (CFR) Section 482.23 (b)(3)  
Title 22 California Code of Regulations (CCR) Sections 70215 and 70529.

The purpose of this All Facilities Letter is to clarify the requirements for providing polysomnography in sleep labs within a General Acute Care Hospital (GACH) setting.

SB 132 (Chapter 635, Statutes of 2009) requires the Medical Board of California (MBC) to adopt regulations relative to the qualifications for certified polysomnographic technologists, and requires that a certified polysomnographic technologist work under the supervision of a physician and surgeon.

The California Department of Public Health (CDPH) enforces patient care standards in GACH outpatient settings. These standards require a registered nurse provide ongoing patient assessments. Such assessments shall be performed, and the findings documented in the patient's medical record, for each shift, and upon receipt of the patient when he/she is transferred to another patient care area. (Title 22, California Code of Regulations (CCR), Section 70215(a)(1)).

CCR Title 22, Section 70529(c) requires that a registered nurse be responsible for the nursing service in the outpatient service. In addition, federal regulations state "a registered nurse must supervise and evaluate the nursing care for each patient." (Title 42 CFR Section 482.23 (b)(3)).

CCR Title 22, Section 70529(d) requires sufficient nursing and other personnel to provide the scope of services offered.

Based on the applicable statutory and regulatory requirements, certified polysomnographic technologists must be supervised by physicians; however, in a GACH registered nurses must also be present to provide ongoing patient assessments.

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Facilities are responsible for following all applicable laws. CDPH's failure to expressly notify facilities of legislative changes does not relieve facilities of their responsibility for following all laws and regulations. Facilities should refer to the full text of applicable sections of Title 42 Code of Federal Regulations Section 482.23 (b)(3), Title 22 California Code of Regulations Sections 70215 and 70529 to ensure compliance.

If you have any questions, please contact your local District Office.

Sincerely,

**Original Signed by Kathleen Billingsley, R.N.**

Kathleen Billingsley, R.N.  
Deputy Director  
Center for Health Care Quality